

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

OLGA A. ALFONSO,

Defendant.

**4:16CR3115**

**ORDER**

Defendant has orally moved to continue the trial currently set for December 27, 2016. As explained in the motion, Defendant is entering treatment, wants to pursue that benefit without the interruption of a trial, and while in treatment, is not available during the current trial setting. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted. Accordingly,

IT IS ORDERED:

- 1) Defendant's oral motion to continue is granted.
- 2) Trial of this case is set to commence before the Honorable Richard G. Kopf, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on May 8, 2017, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.
- 3) Based upon the representations of counsel and the defendant, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, with Defendant's consent, the additional time arising as a result of the granting of the motion, the time between today's date and May 8, 2017, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because although counsel have been duly diligent, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7). Failing to timely object to this order as provided under the court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

December 21, 2016.

BY THE COURT:  
s/ Cheryl R. Zwart  
United States Magistrate Judge